

REMARKS

Claim Status

Upon entry of this amendment, claims 1, 4 and 6 have been amended, claims 3, 5, 8 and 9 have been canceled; claims 1, 2, 4, 6 and 7 remaining pending.

Allowable Subject Matter

Applicants gratefully acknowledge the finding of allowable subject matter by the Examiner with respect to claim 5.

Claim Objection

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim(s). Limitations from claim 5 and intervening claim 3 have been incorporated into claim 1. Claims 3 and 5 have now been canceled. Claim 1 is now deemed to be allowable. It is submitted that no new subject matter has been introduced by the amendments and that the amendments are fully supported by the specification. Therefore, Applicants respectfully request that the foregoing objection be withdrawn.

It should be noted that claims 4 and 6 have also been amended to render them consistent with claim 1. It should be further understood that the amendments herein were made to clarify claim language and not to limit or narrow the scope of the claims, and thus, they should not be interpreted as narrowing claim amendments.

35 USC 103 Rejection

Claims 1-4 and 6-9 are rejected under 35 USC 103(a) as being unpatentable over Bachman et al. (U.S. Pat. No. 5,907,621) in view of Peterson, Jr. (U.S. Pat. No. 5,857,020). In the interest of expediting allowance of this application and without conceding the issue of patentability, claim 1 has been amended as described above and claims 3 and 5 have been canceled. Consequently, claim 1 is now deemed to be patentable over the cited art. Similarly, without conceding the issue of patentability, claims 2, 4, 6 and 7 depend from claim 1 and hence at least derive their respective patentability therefrom. Applicants respectfully submit that these claims are also allowable over the cited art.

With respect to claims 8 and 9, these claims have been canceled for the sole purpose of expediting allowance of this application. Cancellation of these claims is intended to be without prejudice and without conceding the issue of patentability. Applicants reserve the right to revisit the issue of patentability at a later time.

Power of Attorney


Applicants previously submitted a Revocation Of Power Of Attorney, Appointment And Certification Under 37 C.F.R. 3.73(B) on December 1, 2004. However, correspondence from the U.S. Patent Office is still being forwarded to the previous attorneys (Townsend and Townsend and Crew) and the subject application has not yet been associated with our customer number (No. 31824). In this regard, we are resubmitting a copy of the previously filed Revocation Of Power Of Attorney, Appointment And Certification Under 37 C.F.R. 3.73(B). Accordingly, it is respectfully requested that the application be correctly associated with Customer No. 31824 and a Notice Of Acceptance Of Power Of Attorney be issued to McDermott Will & Emery LLP.

Conclusion

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the telephone number provided below.

Respectfully submitted,

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